BEFORE THE BOARD OF STEVENS COUNTY COMMISSIONERS

IN THE MATTER OF ESTABLISHING BURNING CONTROLS UPON PRIVATE LANDS IN STEVENS COUNTY

Ordinance No. 2019-07

ESTABLISHING COUNTY BURNING CONTROLS UPON PRIVATE LANDS WITHIN STEVENS COUNTY IN COORDINATION WITH DEPARTMENT OF NATURAL RESOURCES BURNING CONTROLS

WHEREAS, uncontrolled fires in our county can present a very real danger to both persons and property; and

WHEREAS, the Washington State Department of Natural Resources generally monitors the level of fire danger upon all lands under its jurisdiction; and

WHEREAS, Stevens County now lays within three different “Fire Danger Rating Areas” (FDRA) specified by the Department of Natural Resources (DNR); and

WHEREAS, the Washington State Department of Natural Resources only has jurisdiction over certain unimproved property in our county and the County Commissioners have jurisdiction over other property in Stevens County; and

WHEREAS, Resolution 17-2019 designates Sheriff Brad Manke as the County Fire Marshal; and

WHEREAS, the County Commissioners believe that the protection of persons and property necessitates the implementation of County Burn Controls; and

WHEREAS, the County Fire Marshal desires to follow the Department of Natural Resources (DNR) “Fire Danger Rating Areas” (FDRA) and advises the County Commissioners to coordinate Stevens County burning restrictions to match Department of Natural Resources (DNR) Burning Controls,

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ORDERED:

SECTION 1: ESTABLISHING BURNING CONTROLS

Whenever the Washington State Department of Natural Resources applies Burning Controls upon lands within Steven County, the Stevens County Commissioners, in consultation of the Fire Marshal hereby direct that identical County Burning Controls per the “Fire Danger Rating Areas” (FDRA) will be applied upon all lands under county jurisdiction without further action of the Board of County Commissioners with the following exception:
RECREATIONAL FIRES ON IMPROVED PROPERTY WILL BE ALLOWED PER WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES REGULATIONS.

With the above noted exception, the County Burning Controls will become effective at the same time, upon the same terms and for the same duration as the Burning Controls applied by the Washington State Department of Natural Resources.

When the Stevens County Sheriff's Office verifies that the Washington State Department of Natural Resources has applied Burning Controls upon lands within Stevens County, the Fire Marshal shall notify County Fire Districts and all local media about the application of the County Burning Controls and the Exception. The County Burning Controls will be in effect regardless of whether or not notification has been made. Further, when the Fire Marshal verifies that the Washington State Department of Natural Resources has removed the Burning Controls, the Fire Marshal shall notify County Fire Districts and all local media about the removal of the County Burning Controls.

The Board of County Commissioners retains the authority to independently authorize burning controls if the Board determines that burning controls are necessary to protect persons or property.

SECTION II: PENALTIES FOR VIOLATION OF COUNTY BURNING CONTROLS

Any person, firm or corporation violating County Burning Controls shall be guilty of a civil infraction. For the first violation in a calendar year, a monetary penalty in the amount of $125 shall be assessed; for the second violation in a calendar year, a monetary penalty in the amount of $250 shall be assessed; and for a third or subsequent violation in a calendar year, a monetary penalty in the amount of $500 shall be assessed.

SECTION III: SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provisions to other persons or circumstances shall not be affected.

SECTION IV: EFFECTIVE DATE

This Ordinance shall be effective from and after the 1st day of July, 2019.
Passed and adopted by the Board of Stevens County Commissioners meeting in regular session at Colville, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage and adoption the 2nd day of July, 2019.

3 YEA; 0 NAY; 0 ABSTAIN; and 0 ABSENT

BOARD OF COUNTY COMMISSIONERS OF
STEVENS COUNTY, WASHINGTON

Chairman Wes McCart

Commissioner Steve Parker

Commissioner Don Dashiell

Attest:

Patricia A. Chester
Clerk of the Board